

provide at its own cost and expense that the said public highway shall be carried across its tracks either overhead by a bridge or under said tracks by a tunnel, and in order to construct such new crossing said railroad company is empowered to exercise the powers of condemnation vested in it for the purpose of acquiring such additional property and rights as it may require to construct the same. The bridge which said railroad company shall construct for an overhead crossing or the tunnel for the undergrade crossing shall be at least twenty feet wide, and the height of said tunnel from the surface of the roadway through it shall not be less than fourteen feet; and the grades approaching said overhead or undergrade crossings shall not be greater than a rise of six feet in the hundred. The said "tunnel" used in this section to describe the undergrade crossing may either be arched or the railroad tracks may be carried across the public highway on a bridge, as the railroad company may elect. For constructing the approaches to said overhead or undergrade crossings the railroad company may, at its own expense, change the grade of the public highway to be carried on said new crossing with the same rights and liabilities as are now vested in the county commissioners in changing the grades of public highways. Whenever a railroad company shall construct an overhead or undergrade crossing under the terms of this section, all grade crossings within six hundred yards of the same may be closed by it and no new crossing shall be opened within that distance of said overhead or undergrade crossing; provided, that this prohibition as to the maintenance and opening of grade crossings shall not apply to incorporated towns or villages of two thousand or more inhabitants, subject, however, to the consent of the county commissioners or municipal authorities of said counties and towns.

1890, ch. 443, secs. 1 and 2.

295. It shall not be lawful for any railroad company doing business in this State to withhold any part of the wages of its employes for the benefit of any relief association or the members thereof. Any railroad company violating the provisions of this section shall upon conviction be fined not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars for each and every offense.

1894, ch. 269.

296. The board of public works may, when it is shown to their satisfaction by any railroad company that it is impracti-